



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD-FFO
3437 Airport Way, Suite 206
Fairbanks, Alaska 99709-4777

PUBLIC NOTICE DATE: February 23, 2007

EXPIRATION DATE: March 26, 2007

REFERENCE NUMBER: POA-2005-42-M

WATERWAY: Tanana River

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: West Timberline Properties, 800 30th Avenue, Building C., Fairbanks, Alaska 99701

AGENT: Mr. Steve Halonen, West Timberline Properties, 800 30th Avenue, Building C., Fairbanks, Alaska 99701

LOCATION: The proposed project is located within section 27, T. 1 S., R. 1 E., Fairbanks Meridian; Latitude 64.8016° N., Longitude 147.5141° W.; Tax Lot 2715; near North Pole, Alaska.

PURPOSE: To expand gravel operations, construct roads, and construct an office building.

WORK: This modification would authorize placement of approximately 23,203 cubic yards (cy) of fill material into approximately 7.59 acres of waters of the U.S., wetlands. All work would be completed in accordance with the attached plans, sheets 1-5, dated February 14, 2007.

ADDITIONAL INFORMATION: The original permit was issued 20 May 2005 for the retention of approximately 9,575 cy of assorted fill in 1.45 acres of waters of the U.S., wetlands, for partial construction of an access road and a commercial pad in conjunction with excavation of a gravel pit. Additionally, the permit authorized discharge of 485 cy of gravel on the access road, 1,525 cy of assorted fill in 0.05 acres of wetlands (a gravel pit pond) to complete the access road, and expansion of the commercial pad by placing 24,450 cy of fill into an additional three acres of wetlands.

This modification would further expand operations within the project by placing approximately 23,203 cy of fill material into approximately 7.59 of wetlands. Specifically, the permit would authorize 17,246 cy of fill in 4.48 acres for the construction of roads to facilitate gravel and top soil operations, 5,000 cy of fill in 0.21 acres for the stockpiling of gravel to allow the water to drain, 958 cy of fill material in approximately 0.15 acres for a driveway, building and septic pads for an on-site office/residence, and pads for power poles; and 2.75 acres would be used for the stockpiling of overburden. The gravel pit will be approximately 5.0 acres when it is completed.

Traffic for gravel operations will assume a counter clockwise pattern to maintain a smooth flow and avoid congestion around the pit. Loads going to the North Pole area road #3 will be utilized with returning trucks heading north on road # 4, trucks with loads to Fairbanks or Badger Road locals would go northwest on road #2 and north on the access road to Bradway Road.

Future plans include the development of a residential subdivision; the west portion of the project area will be left in its current disturbed state. Preliminary plans for the secondary phase housing project are included.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is an unevaluated property in the vicinity of the worksite, it has been designated FAI-00073, Murray's Roadhouse (White's, Eightmile, Ninemile). Because the property has been determined to be outside of the project area, no further action is required. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time. This application is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or modify their designated critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mary Romero at (907) 474-2166 or by email at mary.r.romero@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

**NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION**

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No POA 2005 42 M, Tanana River serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-6281
FAX: (907) 269-7508

WEST TIMBERLINE PROPERTIES

POA-2005-42-4 TANANA Subdivision Worksheet
RIVER

The applicant proposes to discharge approximately 7,568 cubic yards of fill material into 15 acres of wetlands.

To construct a residential subdivision with the following features:

1 house pads: each 50 feet x 40 feet, depth of fill 5' = 370 YDS

1 driveways: each 30 feet x 100 feet, depth of fill 2' = 222 YDS

1 septic systems: each 20 feet x 20 feet, depth of fill 4'
1000 GAL. TANK 150 SQ. FT. OF FIELD PER BED ROOM

5 access road(s)

① Name of Road:

Dimensions: 30 feet x 990 feet, depth of fill 2' 2200 YDS

② Name of Road:

Dimensions: 30 feet x 500 feet, depth of fill 1' 555 YDS

③ Name of Road:

Dimensions: 30 feet x 500 feet, depth of fill 1' 555 YDS

Note: Include cul de sac dimensions with associated access road if applicable.

The entire parcel is 30 acres with approximately 15 acres located in wetlands.

Lot size would range from 3/4 to 1 1/4 acres.

Roads would be constructed by APPLICANT. (Applicant/contractor)

Lots would be sold improved with house pads, driveways, and septic system areas, OR individually without improvement.

Or a combination/variation of this:

ADD ROADS + EASEMENT

④ 30 x 990 x 2' 2200 YDS

⑤ 60 x 660 x 2'

⑥ \$100 x 660 x 6"

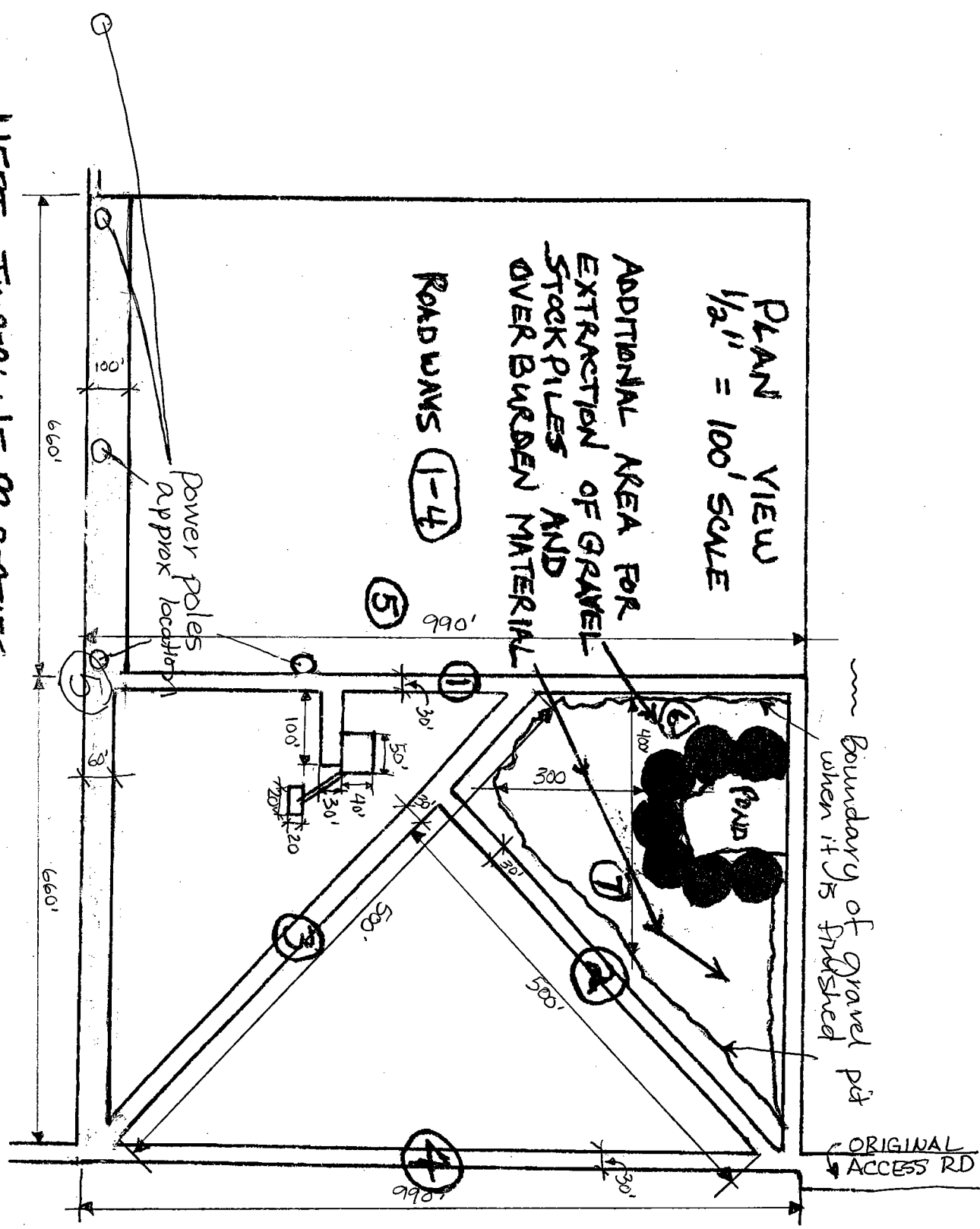
GRAVEL STOCKPILES FOR
WATER DRAIN OFF

⑦ 5000 YDS maximum

OVER BURDEN AREA
⑧ 300' x 400'

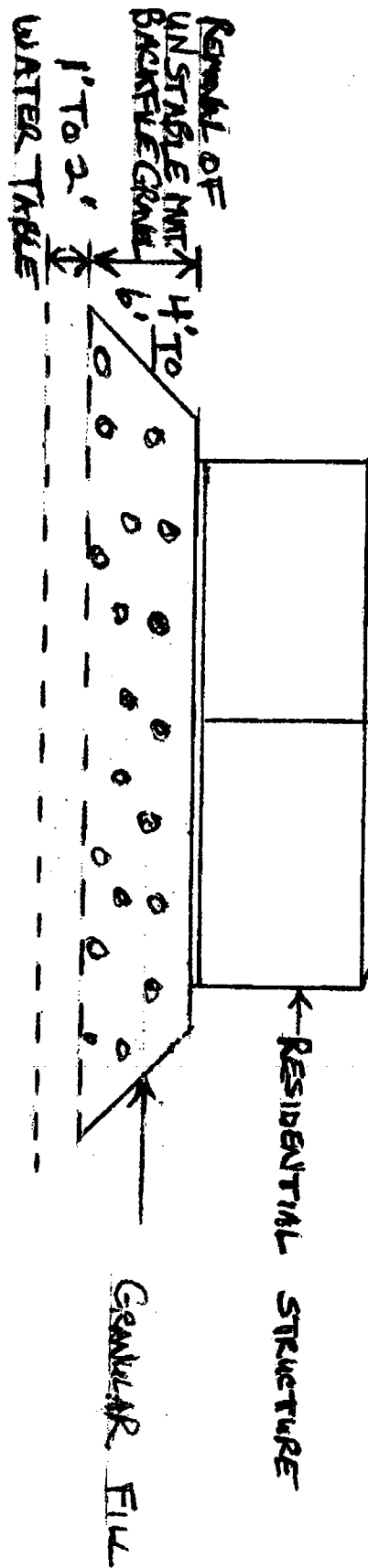
TOTAL YDS

WEST TIMBERLINE PROPERTIES
 POA - 2005-42-4 TANANA RIVER



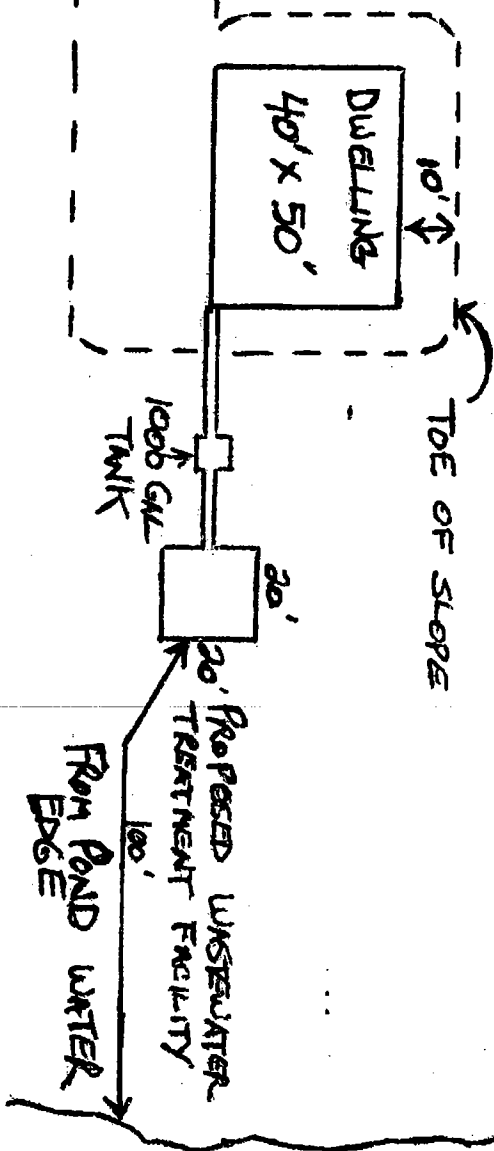
WEST TIMBERLINE PROPERTIES POA-2005-42-4 Tanana River

Typical Elevation View
For Structure
1/8" = 1' Scale



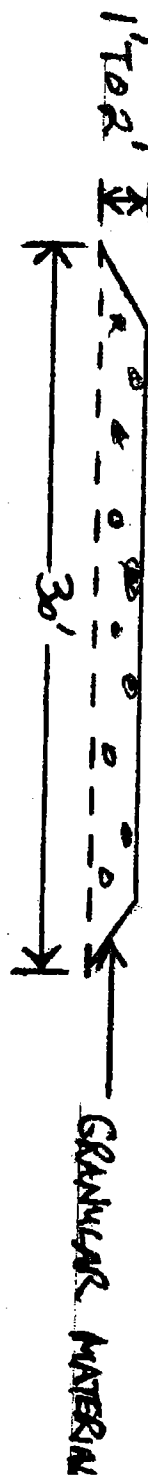
Typical Residential Plan View

1/4" = 10' Scale

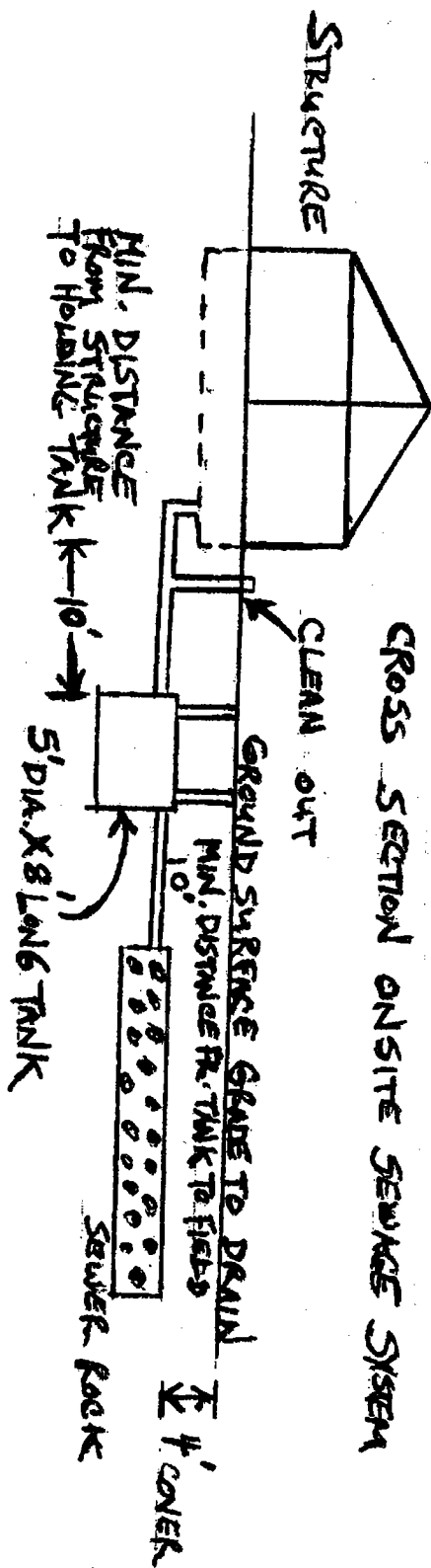


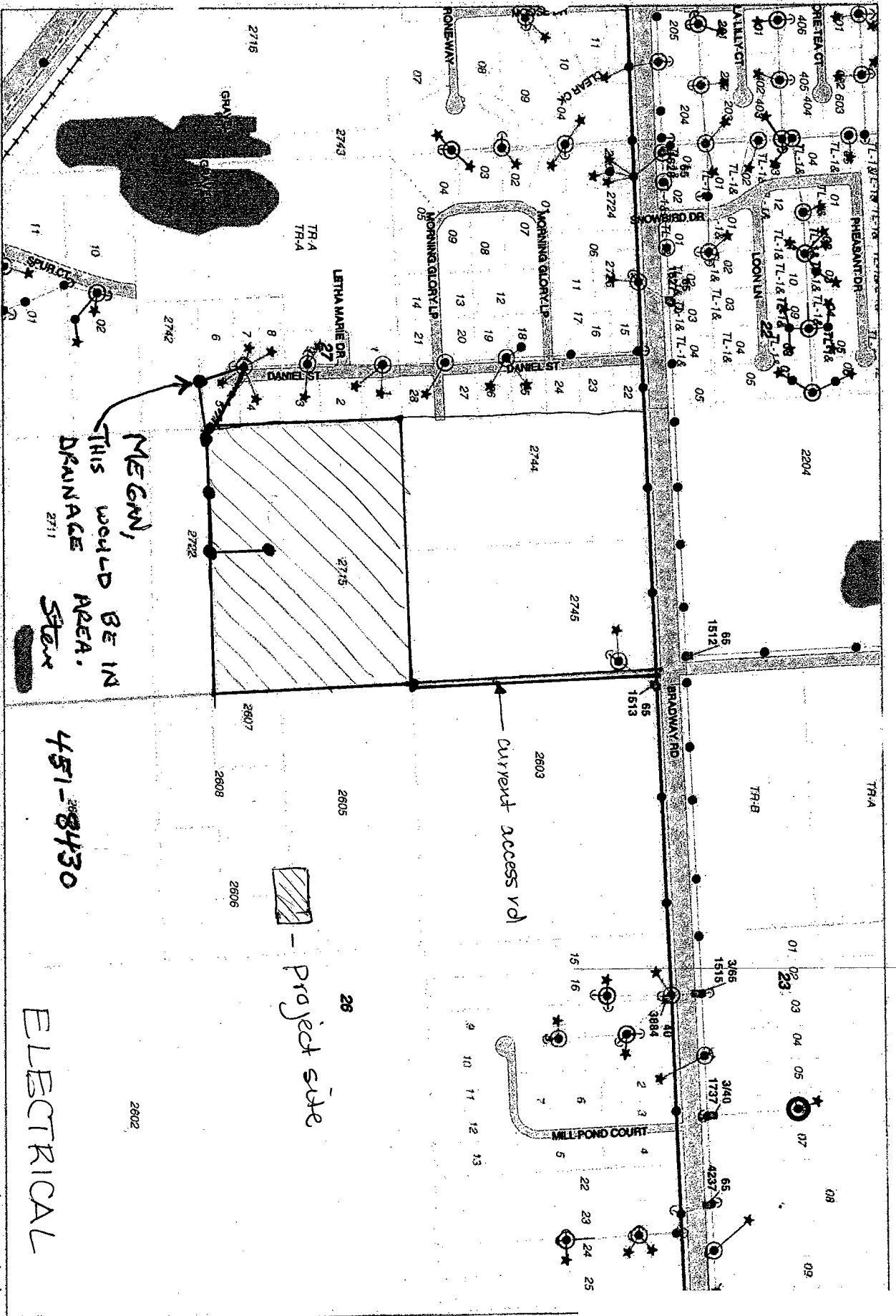
WEST TIMBERLINE PROPERTIES POA-2005-42-M TANANA RIVER

CROSS SECTION OF ROADWAYS



CROSS SECTION ON SITE SEWAGE SYSTEM





SCALE 1:7,719



MEGNY,
THIS WOULD BE IN
DRAINAGE
AREA.
Star

451-8430

Project site

current access rd

ELECTRICAL

POLE PLACEMENT

